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acknowledgment. The court in the principal case seems justified in construing the statute so as to secure better means of obtaining satisfactory evidence that the one making the acknowledgment is the same person described in the instrument.

AUTOMOBILES—CONTRIBUTORY NEGLIGENCE OF THE GUEST IN FAILING TO WARN THE DRIVER OF IMPENDING DANGER.—The plaintiff was riding as a guest in the defendant's automobile. The windshield of the car was frosted so that neither was able to see that a crossing was blocked by a standing train until too late to avoid collision. The plaintiff had warned the defendant of the excessive speed at which he was driving, but testified that he did not know whether or not the defendant had heard his protest. The plaintiff knew the position of the railroad crossing, but did not remonstrate with the defendant in regard to the manner in which he was approaching it. *Held*, that the plaintiff was guilty of contributory negligence as a matter of law. Failure on the part of the guest to see that the driver is keeping a proper lookout or to protest the negligent manner in which the car is being driven will bar a recovery from the driver in case of injury. *Howe v. Corey* (Wis., 1920), 179 N. W. 791.

The driver of an automobile owes a duty to his invited guest to exercise ordinary care not to increase the danger ordinarily incident to driving; and if he fails to exercise such duty he is liable for the injury proximately resulting. *Perkins v. Galloway*, 198 Ala. 658, affirming 194 Ala. 265; *Beard v. Klusmeier*, 158 Ky. 153. And it seems that the guest, likewise, owes a duty to use reasonable care for his own safety. *Penn. Ry. v. Henderson*, 179 Fed. 577. But what does this duty require of the guest? The Indiana court has held that it is not necessary for him to jump out of the car. *Union Traction Co. v. Love*, 180 Ind. 442. Nor is he required to ask permission to get out. *Turney v. United Rys. Co. of St. Louis*, 155 Mo. App. 513. And the Rhode Island court does not even require the guest to protest when the car is being driven at an excessive speed. *Herman v. Rhode Island Co.*, 36 R. I. 447. However, the principal case would seem to place a burden upon the guest not only of protesting an excessive rate of speed but also of continuing to protest until he is certain that his complaints have come to the knowledge of the driver. Furthermore, he must remonstrate with the driver in regard to the manner in which each new situation of danger is approached in order not to assume the risk of possible resulting injury. It appears to the writer that such a rule is quite contrary to the dictates of sound reason and common experience. It, in effect, places a burden upon the guest of electing between becoming a "back seat driver" or his own insurer against all the perils encountered during the drive.

CARRIERS—LIABILITY FOR LOST BAGGAGE—PASSENGER FROM ADJACENT FOREIGN COUNTRY.—The plaintiff was on a journey from Canada to El Paso, Texas, traveling on a coupon ticket to El Paso and return, with a stop-over privilege of which she availed herself at San Antonio. She checked her